

**3**  
**TRUDI G. MANFREDO**, Bar No. 166474  
Chapter 7 Trustee  
575 East Alluvial, Suite 103A  
Fresno, California 93720  
Telephone: (559) 242-5577  
Facsimile: (559) 513-8148

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

12 In the Matter of ) Case No. 13-15096-A-7  
13 )  
13 ) Chapter 7  
14 RAUL YANEZ SANCHEZ and ) TMT-1  
14 CARMEN ESTRADA DE SANCHEZ, )  
15 ) Date: February 12, 2014  
15 ) Time: 9:00 a.m.  
16 Debtor(s). ) Dept.: A, Courtroom 11,  
16 ) Fresno  
17 ) Honorable Fredrick E. Clement

**MOTION TO SELL PERSONAL PROPERTY**

19 Trudi G. Manfredo, Chapter 7 Trustee of the above-referenced  
20 bankruptcy estate ("Trustee") of RAUL YANEZ SANCHEZ and CARMEN  
21 ESTRADA DE SANCHEZ ("Debtors"), brings this Motion to Sell Personal  
22 Property and respectfully represents as follows:

23       1.     Trustee is the duly appointed, qualified and acting Trustee  
24 of the above-referenced bankruptcy estate.

25        2.      Debtors filed under Chapter 7 of the Bankruptcy Code on  
26 July 25, 2013, and an order for relief was entered.

27       3. This Court has jurisdiction over this proceeding under 28  
28 U.S.C. §1334(a). This is a core proceeding under 28 U.S.C.

1 §157(b)(2)(A). This motion is brought pursuant to 11 U.S.C. §363.  
2 Venue is proper in this Court pursuant to 28 U.S.C. § 1409(a) by  
3 virtue of the pendency of this case before the Court.

4 4. Among the assets of this bankruptcy estate is a 2008 Ford  
5 Escape, VIN 1FMCU03198KB91077 ("Personal Property").

6 5. Trustee has received and accepted an offer, subject to  
7 higher and better bid at the hearing, from the Debtors to purchase  
8 the bankruptcy estate's interest in the Personal Property for  
9 \$7,200.00, less Debtor's exemption of \$2,900.00, for a net to the  
10 bankruptcy estate of \$4,300.00.

11 6. In deciding to accept the offer, Trustee believes that this  
12 is a fair and equitable price for the Personal Property. Trustee  
13 believes the value of the vehicle is \$8,000.00. If Trustee were able  
14 to auction the vehicle at that price, after paying 15% commission  
15 (\$1,200.00) to the auctioneer and \$2,900.00 to the debtors for their  
16 exemption, the estate would only receive \$3,900.00.

17 7. The price to be received at auction is never certain and  
18 the delay involved in auctioning these assets is not warranted.

19 8. Based on her business judgment, Trustee believes that the  
20 sale of the above-described Personal Property is in the best interest  
21 of the creditors of this estate and all parties in interest.

22 9. There will be no adverse tax consequences to the estate as  
23 a result of the sale.

24 10. This sale is subject to higher and better bid at the  
25 hearing noted above.

26 11. Any prospective bidder for the vehicle must bring certified  
27 funds to the hearing in the amount of \$7,200.00 made out to Trudi G.  
28 Manfredo, Chapter 7 Trustee, which is non-refundable if that bidder

1 is the successful bidder and fails to perform. Bids will be in  
2 \$500.00 increments. Prospective bidders must also bring documentary  
3 evidence of the ability to pay the amount of their bid.

4 12. Trustee requests that the provisions of Bankruptcy Rule  
5 6004(h) be waived.

6 WHEREFORE, Trustee prays

7 1. That the Motion be granted;  
8 2. That the Court issue an order authorizing the sale of the  
9 Bankruptcy Estate's interest in the non-exempt equity in the above  
10 Personal Property to Debtors for \$7,200.00, less debtors exemption of  
11 \$2,900.00, for a net to the estate of \$4,300.00.

12 3. That the provisions of Bankruptcy Rule 6004(h) be waived;  
13 and

14 4. For such other and further relief as the Court deems just  
15 and proper.

16 DATED: 1-10-14

17 By /s/ Trudi G. Manfredo  
18 TRUDI G. MANFREDO,  
Chapter 7 Trustee

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